

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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COLLEGE STANDARD MAGAZINE, JEFFREY SCOTT  
BAREA, AND JULIEN A.M. STARR

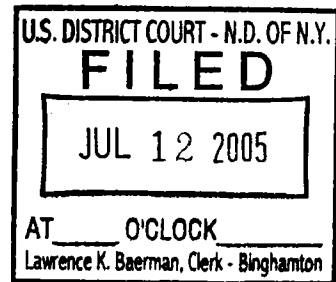
Plaintiffs

-against-

STATE UNIVERSITY OF NEW YORK AT ALBANY,  
AND THE STUDENT ASSOCIATION OF THE STATE  
UNIVERSITY OF NEW YORK AT ALBANY,

Defendants.

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ORDER DENYING  
SUMMARY JUDGMENT

CIVIL ACTION NO.  
03-CV-0505

HON. THOMAS J. McAVOY

HON. RANDOLPH F. TREECE

The defendant Student Association of the State University of New York at Albany having made a motion for summary judgment dismissing the complaint, and the plaintiffs College Standard Magazine, Jeffrey Scott Barea, and Julien A.M. Starr having made a cross-motion for summary judgment in their favor, and the case having come on before me at a regular motion day of the United States District Court, Northern District of New York, held at the United States Courthouse, 445 Broadway, Albany, New York, at 10:00 A.M. on June 13, 2005, and the Court having heard oral argument in behalf of the defendant by its attorney, Lewis B. Oliver, Jr., Esq., and the plaintiffs having been heard by their attorney,


Thomas Marcelle, Esq., and the Court having considered all the papers and proceedings and arguments of the attorneys herein, it is hereby

ORDERED, that the defendant Student Association's motion for summary judgment dismissing the complaint is denied; and it is further

ORDERED, that the plaintiffs College Standard Magazine, Jeffrey Scott Barea, and Julien A.M. Starr's cross-motion for summary judgment is denied.

Dated: Binghamton, New York  
June 9, 2005

*WJ*

  
HON. THOMAS J. McAVOY  
SENIOR UNITED STATES  
DISTRICT COURT JUDGE